

19MAG 7073

Approved: \_\_\_\_\_

Danielle M. Kudla  
Assistant United States Attorney

Before: THE HONORABLE ONA WANG  
United States Magistrate Judge  
Southern District of New York

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: SEALED COMPLAINT  
UNITED STATES OF AMERICA :  
: Violations of 18 U.S.C.  
- v. - : §§ 751(a) and 4082(a)  
:   
NUNZIO GENTILE, : COUNTY OF OFFENSE:  
: BRONX  
Defendant. :  
:   
----- X

SOUTHERN DISTRICT OF NEW YORK, ss.:

LISA ALVAREZ, being duly sworn, deposes and says that she is a Deputy United States Marshal with the United States Marshals Service ("USMS"), and charges as follows:

COUNT ONE  
(Escape)

1. On or about July 24, 2019, in the Southern District of New York, NUNZIO GENTILE, the defendant, knowingly did escape and attempt to escape from the custody of the Attorney General and his authorized representative, and from an institution and facility in which he was confined by direction of the Attorney General, and from custody under and by virtue of process issued under the laws of the United States by a court, judge, and magistrate judge, which custody and confinement was by virtue of a conviction of an offense, to wit, GENTILE, while in the custody of the Bronx Community Reentry Center ("Bronx CRC") located at 2534 Creston Avenue in the Bronx, New York, following a conviction in the United States District Court for the Southern District of New York for conspiracy to distribute and possess with the intent to distribute methyldone, cocaine, and marijuana, in violation of 21 U.S.C. § 846, left the Bronx CRC without authorization and failed to return.

(Title 18, United States Code, Sections 751(a) and 4082(a).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Deputy United States Marshal with the USMS and have been so employed for approximately nine years. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of documents and reports from the Department of Justice, the Federal Bureau of Prisons ("BOP"), and the Bronx CRC, I have learned, among other things, the following:

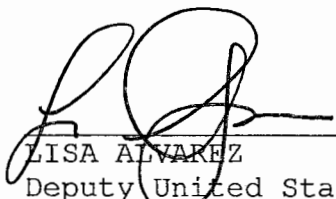
a. NUNZIO GENTILE, the defendant, was convicted in the United States District Court for the Southern District of New York, 14 Cr. 608 (AJN), of conspiracy to distribute and possess with intent to distribute methyldone, cocaine, and marijuana in violation of 21 U.S.C. § 846. In connection with that conviction, on or about May 5, 2016, the Honorable Alison J. Nathan, United States District Judge for the Southern District of New York, sentenced GENTILE to a term of 60 months imprisonment to be served in the custody of the BOP. GENTILE was also sentenced to a five-year term of supervised release.

b. On or about July 9, 2019 GENTILE was transferred from the Federal Correctional Institution Estill, located in Estill, South Carolina, to the Bronx CRC to serve the remainder of his sentence. The Bronx CRC is a BOP facility.

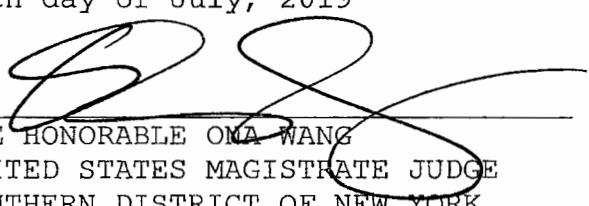
c. On or about July 24, 2019, at approximately 7:00 a.m., GENTILE walked away from the Bronx CRC. Later that day, at approximately 2:24 p.m., GENTILE contacted me via telephone. I advised him to self-surrender to the USMS.

d. GENTILE has not returned to the Bronx CRC or reported to the USMS.

WHEREFORE, the deponent respectfully requests that a warrant issue for the arrest of NUNZIO GENTILE, the defendant, and that he be arrested, and imprisoned, or bailed, as the case may be.

  
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LISA ALVAREZ  
Deputy United States Marshal  
United States Marshals Service

Sworn to before me this  
30th day of July, 2019

  
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THE HONORABLE OMA WANG  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK